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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/046,784 03/23/98 CARTER

K 83000.1007

022804  
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LM02/0107

EXAMINER

DELA TORRE, C

ART UNIT

PAPER NUMBER

2773

DATE MAILED:

01/07/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/046,784

Applicant(s)

Carter

Examiner

Crescelle Dela Torre

Group Art Unit

2773



☒ Responsive to communication(s) filed on Nov 8, 1999

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-23 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-23 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☒ The proposed drawing correction, filed on Nov 8, 1999 is ☒ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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### **DETAILED ACTION**

1. This action is responsive to communications: Amendment, and Drawing Corrections, both filed on 11/8/99.

This action is final.

2. Claims 1 - 23 are pending in this application. Claims 1, 7, 12, 17, and 23 are independent claims. In the Amendment, filed on 11/8/99, claims 1, 7, 12, 17, and 23 were amended.

3. The present title of the invention is "Method and Apparatus for Selecting Attachments" as filed originally.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 - 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borman et al. (U.S. patent 5,890,172) in view of Kuzma (U.S. patent 5,781,901).

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As per claim 1, Borman et al., hereinafter Borman, teach the following subject matter:

a browsing mechanism, with browser interface 400, at Figs. 5A - 5C, and col. 7, lines 52 - 53, configured to render a current data resource, i.e., a file retrieved by the browser, and to navigate through plural data resources, using the Back 412, Forward, and Home 414 buttons; and an attachment mechanism, using jumper window 300, at Fig. 3, configured to retrieve an attachment from the browser in response to a user event, i.e., by selecting a hot-link with a mouse, at col. 6, lines 55 - 60, the attachment associated with the current data resource, since the "hot-links are extracted from a file initially retrieved by the browser".

Regarding claim 1, Borman describes that in another embodiment, "the user will be able to invoke the product from within their electronic e-mail box simply by double-clicking on attached files" at col. 12, lines 62 - 64. However, Borman does not specifically teach attaching the attachment to an e-mail message.

On the other hand, Kuzma teaches a method for "transmitting e-mail attachments" wherein "an attachment reference comprising the network address of the attachment is supplied to the configurable e-mail page" at col. 1, lines 53 - 63. Kuzma also points out that the "e-mail message 401 is transmitted along with a relatively small attachment reference 402, instead of actually transmitting the entire attachment file along with e-mail message 401", at Fig. 4, and col. 4, line 65 to col. 5, line 14.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to attach the attachment to an e-mail message as taught by Kuzma in the invention of

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Borman because “network bandwidth and resources are utilized more efficiently” [see col. 5, line 66 to col. 6, line 3 of Kuzma].

Borman teaches that the attachment comprises a resource locator [claim 2] at col. 7, lines 62 - 63, or source data [claim 3] associated with the current data resource at col. 13, lines 32 - 38.

Kuzma teaches selecting an attachment type [claim 4] at col. 6, lines 49 - 52, which describes “launching the appropriate application corresponding to the file type of attachment 420”.

Furthermore, Borman teaches that the attachment mechanism comprises a button [claim 5] with refresh/update button 326, at Fig. 3, and col. 7, lines 17 - 19. As to claim 6, Borman teaches navigating to a first data resource, in browser window 406, using a resource locator, with hot-link 580, in a second data resource, in jumper window 300, all at Fig. 6.

Regarding claims 7 - 11, they are similar to claims 1, 4, 2, 3, and 6. Claims 12 - 16 correspond respectively to claims 7 - 11; while claims 17 - 19, 21, and 23 correspond to claims 1 - 3, 6, and 1.

As per claim 20, the first part is similar to claim 4, while the second part is taught by Borman with site window 404, at col. 7, line 32, and at Fig. 5A, which allows a user to select the property value by entering the site location.

As to claim 22, Borman teaches the following:

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a stack configured to contain resource locators of navigated data resources, with history creation process 712, at Fig. 7, and col. 9, lines 40 - 42; and

one or more methods configured to browse navigated data by stepping forward or backward within the stack, at col. 9, lines 43 - 56.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1 - 23 have been considered but are moot in view of the new ground(s) of rejection.

Examiner agrees with applicant that the Borman reference, when taken alone, does not disclose the claim limitations of each of the independent claims. Rather, the combination of Borman and Kuzma was used to reject applicant's claims. As per claims 4, 8, 13, 20, the Kuzma reference was used to teach selection of an attachment type [see col. 6, lines 49 - 52].

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### ***Responses***

8. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 308-9051 may be used for formal communications or (703) 308-6606 for informal or draft communications.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

### ***Inquiries***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crescelle dela Torre whose telephone number is (703) 305-9782. The

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examiner can normally be reached on Mondays-Thursdays from 8:30 am to 4:00 pm, and on alternating Fridays from 8:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Kim, can be reached at (703) 305-3821.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

*C. dela Torre*  
Crescelle dela Torre  
Patent Examiner  
Art Unit 2773  
January 6, 2000